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Correspondence with Jill Fulton, Head of the EAP

F.Y.I. Friday, 1/5/18

Inbox



Frank Dundee <fdundee@gmail.com>

Jan 5,
2018,
11:40 PM

to Jill, Heather, Shawn

Hi Jill,

I appreciate the fact that you are under the wrong assumption regarding the reason we are forced to meet. You have been led to believe a false narrative about me based upon made-up interactions, by people who were not present, that ascribe behaviors, emotions and/or motivations that never existed. I believe in breaking through these false narratives and that is why I have filed charges, outside the available UH processes, with the EEOC. I tried, and continue to try, to find an honest broker within UH, but it's really hard to do, and it's hardest when the lies are buried so deep and told so often by those who are complicit in the lying, that even honest, well-meaning people can't recognize them as anything but the plainest truth.

But the reason I am sending you this tonight is, if you are able, to have you retrieve the numbers on the amount of orders that I verified **and filled**, missing doses and missing IV's, the number of phone calls I answered and made, the number of times nurses appeared at the pharmacy window and the number of times medications were tubed to the floors between 2115 and 2315, on Friday, 1/5/18, . There is no way to hide the truth in those numbers.

The pharmacy system was down before I arrived and I walked into a perfect storm. But I relish such opportunities and as of this moment all is well for the patients and nurses at the 3 hospitals that I watch over every night. No other pharmacist, staff or management, could have even come close to doing what I did. And I do it on two legs that don't work because of my motor-neuron disease. In fact, my shoe was rubbing a hole in my skin from the moment I arrived, but I couldn't stop to put on a BandAid because it takes me so long to remove my shoes. So I have a hole in my skin that I can show you when we meet.

Yet, I have been denigrated, defamed and harassed, in a pattern, over a period of years. It would great if you could get those numbers for our meeting. See you soon.

Frank Dundee

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Fulton, Jill T <Jill.Fulton@uhhospitals.org>

Jan 9,
2018,
12:44 PM

to me

Hi Frank,

I am just returning from PTO and reviewed your email. We can discuss this below, however, I don't feel it is necessary to obtain those numbers. Let me know if it is easier to meet you at Geauga or another site. David said he met you at Ahuja. IF I don't hear from you by 4 I will assume we are meeting in HR at Geauga. See you then.

From: Frank Dundee [mailto:fdundee@gmail.com]

Sent: Saturday, January 06, 2018 12:29 AM

To: Fulton, Jill T

Cc: Harmon, Heather (HR); Osborne, Shawn

Subject: Fwd: F.Y.I. Friday, 1/5/18

Jan 13,
2018, 2:50
PM

Frank Dundee <fdundee@gmail.com>

to me

EEOC ADA charge:

As expected after I requested that Ms. Fulton retrieve the data that would show my exceptional work performance, Ms. Fulton said at our mandated EAP session that she did not retrieve the information because my work performance wasn't in question. If my performance isn't in question, then the issue cannot be that I'm mandated to the EAP to improve my work performance and meet UH business needs:

Employers must have their "ducks in a row" to make sure any required counseling is job-related and consistent with business necessity. Generally, employers should have sound and documented justification that explains why a medical exam is needed for an employee to perform his or her job. Thus, any decision to send out an employee for counseling now must be carefully scrutinized.

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This really happened

Inbox



Frank Dundee <fdundee@gmail.com>

Wed, Jan
10, 12:32
PM

to Heather

Hi Heather,

As you are aware, I had a mandatory EAP session scheduled this morning at 8:00 am with Jill Fulton in the HR offices at Geauga. As I was coming down the hallway to HR, Ms. Fulton was coming towards me. She said the doors to HR were locked. She asked me to wait near the HR offices while she tried to find someone to unlock the doors. After several minutes Ms. Fulton returned and said protective services would be here shortly to open the doors. Then, almost under her breath, she asked me a question which I didn't understand. She was using some acronyms in a low voice. I asked her to repeat what she said, and I told her that I was sorry, but I didn't understand what she was saying.

At that point she dropped the acronyms and said that maybe I might want to scurry around the corner and hide before protective services arrived as I might be embarrassed because they would know that I there to attend an EAP session.

I was at a loss as to what to say. Run around the corner and hide so as not to be stigmatized? This was the suggestion from the head of the EAP? I was stunned.

Here I am, under the threat of termination, forced to attend an EAP session, in direct violation of the ADA, and the head of the program readily admits that the EAP session is an affront to my dignity. I don't know how much deeper UH can dig a hole?

Did you know that Ms. Fulton was completely unaware of the liability involved regarding the ADA when an employer mandates employee attendance to the EAP? She's the head of the program. The court rulings and legal opinions are all over Google. The warnings are on all the HR sites. No one attends any seminars on the liability? Legal never put out a bulletin on the subject? Ms. Fulton seemed honest in her surprise when I gave her some articles.

Heather, our session in December is the only fully cogent meeting that I have ever had with a member of UH management, HR, Compliance and now the EAP.

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Reset

Inbox



Frank Dundee <fdundee@gmail.com>

Thu, Jan
11, 3:52
AM

to Heather

Hi Heather,

Out of courtesy, I did not take notes during the meeting with Ms. Fulton, yesterday. However, when I reached my car to leave, I took contemporaneous notes. The meeting with Ms. Fulton was the polar opposite of the meeting you and I had in December. After meeting with you, I felt relieved and full of goodwill towards UH; after meeting with Ms. Fulton I was extremely frustrated and all of my goodwill towards UH was gone. Ms. Fulton lacks the perception, insight, and dare I say, intelligence, that you exhibit. One glaring example:

I explained the situation surrounding my charge of sexual harassment. I explained that the investigation concluded that my charge was "not timely." At that point Ms. Fulton asked why I waited two and a-half years to report it? Once again, I was stunned. Here is the head of the EAP, asking why a person would be reluctant to pursue a charge of sexual harassment by a supervisor? Incredible. Have her read this, or any one of the thousands of articles on the matter: <http://hrlibrary.umn.edu/svaw/harassment/explore/6reporting.htm>

Heather, I think we all need to stop the posturing and positioning and have a reset. It might be productive for you and I to meet again, informally, off the record and away from UH. I trust you. I feel that rebuilding goodwill is much better than the alternative. Think it over and let me know. Take care.

Frank Dundee 330-398-8274